

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA)
)
 vs.) Case No. 3:06CR204-MEF
)
HENRY ERIK YAPIAS)

PRETRIAL CONFERENCE ORDER

A pretrial conference was held on October 13, 2006 before the undersigned Magistrate Judge. Present at this conference was the Honorable Jennifer Hart, counsel for the defendant, and Assistant United States Attorney Christopher Snyder, counsel for the government. As a result of the conference, it is

ORDERED as follows:

1. Jury selection is set for **November 27, 2006**. The trial of this case is set for the trial term commencing on **November 27, 2006** before Chief United States District Judge Mark E. Fuller and is expected to last two trial days.
2. There are no motions currently pending.
3. Proposed voir dire questions shall be filed on or before **November 20, 2006**. Counsel should not include questions seeking information which is provided in the jury questionnaire.
4. All Motions in Limine shall be filed on or before **November 20, 2006**. Motions in Limine must be accompanied by a brief. Failure to file a brief will result in denial of the motion.

5. Proposed jury instructions shall be filed on or before **November 20, 2006**.

6. The court will not consider a plea pursuant to Rule 11(c) (1)(A) or (C) unless notice is filed on or before **noon on November 15, 2006**. The government and defendant are informed that if a defendant waits until the last minute to enter a plea, and if that plea, for whatever reason, is not accepted by the court, the defendant and the government will be expected to be prepared to go to trial on **November 27, 2006**. The court will not continue the trial of this case as to any defendant because a defendant's plea was not accepted. In other words, the defendant and the government should not wait until the last minute for a defendant to enter a guilty plea, and both the defendant and the government should all be ready to go to trial on **November 27, 2006**, as to all defendants, even though a particular guilty plea was not accepted by the court.

Done this 16th day of October, 2006.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE